THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 20225 OF 2007

Dated 3rd December, 2007

Between:

Pallam Sathaiah

…Petitioner

And

The Superintendent of Police,
Karimnagar District, Karimnagar and others.

…Respondents.

ORAL ORDER:

In this writ petition, the petitioner seeks directions by way of mandamus to declare the action of the respondents in harassing the petitioner and his family members as illegal and arbitrary.

In the affidavit filed in support of the writ petition, it is stated that he is a resident and native of Venkatraopet village of Konaraopet Mandal, Karimnagar District and as he suffered heavy losses in business and indebted huge amounts to several creditors, he filed IP No. 7 of 2006 and the same is pending adjudication on the file of the Senior Civil Judge, Karimnagar.

It is the grievance of the petitioner that for the last 5 to 6 months, the Sub-Inspector of Police, Sircilla Police Station is calling the petitioner to Police Station and harassing him with a threat to implicate him in false cases and is interfering with the civil disputes.

At the stage of admission, this court ordered notice on 24.9.2007. In response to the same, the third respondent has filed counter affidavit. In the counter affidavit, while generally denying the allegations of the petitioner, it is stated that at no point of time, the petitioner was called to police station and no complaint has also been received against the petitioner in connection with any crime and no case is registered against him.

Except the allegations of the petitioner, there is no other material in support of his plea that there is interference by the respondents in civil disputes. In any event, specific averments are made in the counter affidavit to the following effect:

> " It is pertinent to submit that as of now, I never summoned the petitioner to the police station at any point of time. No case whatsoever is registered on the file of this respondent police station till date against the petitioner. No complaint is received so far against the petitioner from any one including the creditors in

I.P.No. 7 of 2006. When there is no case registered against him, the question of calling the petitioner to the police station does not arise."

In that view of the matter, recording the statement of the 3rd respondent in the counter affidavit, this writ petition is disposed of. It is, however, made clear that if any such complaint is made again, the same will be viewed seriously. No costs.

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3-12-2007 **R.SUBHASH REDDY, J.**

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